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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/718,125	11/19/2003	Paul E. Jacobs	040101	9099
23596 7590 08/11/2009 QUALCOMM INCORPORATED 5775 MOREHOUSE DR. SAN DIEGO, CA 92121				
EXAMINER				
DINH, DUC Q				
ART UNIT		PAPER NUMBER		
2629				
NOTIFICATION DATE		DELIVERY MODE		
08/11/2009		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

us-docketing@qualcomm.com

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Office Action Summary

Application No.

10/718,125

Applicant(s)

JACOBS ET AL.

Examiner

DUC Q. DINH

Art Unit

2629

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 May 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3-5, 7-9, 13, 14, 26, 28, 32, 34, 36, 37, 40, 44, 46 and 48-50 is/are pending in the application.
- 4a) Of the above claim(s) 1, 3-5, 7, 26, 36, 37, 48, 49, and 50 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 8, 9, 13, 14, 28, 32, 34, 40, 44 and 46 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-848)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This Office Action is responsive to the Applicant's Election without traverse claims 8-9, 13, 14, 28, 32, 34, 40, 44 and 46. The Response to the Restriction Requirement is acknowledged. Accordingly claim 1, 3-5, 7, 26, 36, 37, 48, 49 and 50 are withdrawn from consideration.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 8, 9, 13, 14, 40, 44 and 46 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jellicoe in view of Finke-Anlauff (U.S Patent No. 6,850,226)

In reference to claim 8, Jellicoe discloses a method for presenting information on a display to a user of a device, the device having a keyboard deployable relative through a sliding connection, the keyboard deployable in multiple directions, the method comprising:

detecting a direction in which the keyboard assembly is deployed, wherein the respective direction corresponding to one of the first operational mode or second operation mode (PDA mode or phone mode)

wherein the first operational mode corresponds to deployment from the device of a first key arrangement comprising numerical keys, wherein the second operational

mode corresponds to deployment from the device of a second key arrangement comprising alphabetic keys rotated 90 degrees from the numerical keys for viewing.

Jellicoe does not disclose presenting information on the display rotated for viewing 90 degrees from the numerical keys, wherein the presenting is based on a command of an operating application using the numerical keys during deployment of the first key arrangement.

In same field of endeavor, Finke-Anlauff discloses a mobile device having keyboard deployable relative through a sliding connection which can presenting information on the display rotated for viewing 90 degrees from the numerical key based on a command of an operation application using the numerical keys. (col. 3, lines 32-40 and col. 4, lines 30-36 of Finke-Anlauff).

It would have been obvious for one of ordinary skill in the art at the time of the invention to utilize the method of reoriented the information 90 degrees in the device of Jellicoe as taught by Finke-Anlauff because it would yield a predictable result, i.e. viewing information from other applications in the numerical keys application for phone application, and provide the most advantageous view for a particular function for convenient access by the user.

In reference to claim 9, Finke-Anlauff teaches re-orienting information presented on the display with reference to user input. (a manual override is provided by actuation of switch 23 for special use; col. 4, lines 35-36)

Claims 13 and 14 are apparatus claims of claim 8, and therefore is rejected as the same reason as set forth for claim 8.

In reference to claims 40, 44 and 46, Jellicoe discloses an overlap area (front housing) defined between the display and the keyboard assembly, wherein the overlap area is common in both of first direction and second direction is common to deployment in both first and second operational modes wherein the first key arrangement of the keyboard assembly corresponding to a first (numeric) key arrangement of the keyboard arrangement, wherein the second operational mode corresponding to a second key arrangement of the keyboard assembly; and electrical connections between the display and the first key arrangement and between the display and the second key arrangement, wherein the electrical connections are disposed in the overlap area. (in order to display text (34) inputted by keypads 14 and 16, the front housing (overlap area) with display must have electrical connection with keypads 14 and 16; see col. 2, lines 18-40)

4. Claims 28, 32, 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jellicoe in view of Finke-Anlauff (U.S Patent No. 6,850,226) and further in view of Lenchik (U.S Patent No. 6,658,272)

In reference to claims 28, 32, 34, the combination of Jellicoe and Finke-Anlauff does not disclose the Hall effect sensor and magnets to determine the deployment of the keypad 14 and 16.

However, the use of Hall effect sensor and magnet is used to determine the position of elements of a portable device is well-known in the art. In the same field of endeavor, Lenchik discloses the position sensor for detecting relative positions of the device to selecting operational modes of the device based on the detected relative

positions comprises a magnet 1373 and a Hall Effect sensor 1377. The magnet 1373 is preferably affixed to an end of the connector element 903, and the Hall Effect sensor 1377 is affixed to or embedded in a fixed element 909. The magnet 1373 may be comprised of multiple magnetic north and south poles, and may be comprised of multiple magnets or magnetic poles of different strengths and orientations. The Hall Effect sensor 1377 generates an electrical signal when in a magnetic field. The corresponding position sensor circuit board 1035 may use this electrical signal to determine a relative position.

It would have been obvious for one of ordinary skill in the art at the time of the invention to provide the position sensor of Lenchik which includes magnets and Hall effect sensor in the combination Jellicoe and Finke-Anlauff for detecting the arrangement position of the keyboard 14 and 16 to determine the position of keypads 14 and 16 and activate the operational mode of the device based on the detected position.

Response to Arguments

5. Applicant's arguments with respect to the rejected claims have been considered but are moot in view of the new ground(s) of rejection as elaborated in this Office Action.
6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DUC Q. DINH whose telephone number is (571) 272-7686. The examiner can normally be reached on Mon-Fri from 8:00.AM-4:00.PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Hjerpe can be reached on (571) 272-7691. The fax phone number for the organization where this application or proceeding is assigned is **571-273-8300**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Duc Q Dinh/

Primary Examiner, Art Unit 2629

